IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7792 of 2005

Between:

N. Ramesh Babu, E-105381, Conductor,

Barkatpura Depot, S/o. anantharam,

R/o. Barkatpura, Hyderabad.

..... PETITIONER

AND

-

The Depot Manager, APSRTC,

Barkatpura, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent herein in not granting the selection grade scale stagnation increments to the petitioner on completion of 12 years service on the ground that he is not in service as on the date of eligibility, though he was reinstated in pursuance of the Award, is illegal unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increment to the petitioner on completion of 12 years of service from the date of initial appointment in the year 1985 and to pay the arrears by refixing the pay of the petitioner forthwith.

Counsel for the petitioner: Mr. S.M. Subhan

Counsel for respondent: Mr. V.T.M. Prasad.

The Court at the admission stage made the following :

ORDER:

Questioning the action of the respondents in not granting selection grade scale stagnation increment to the petitioner on completion of 12 years service, the present writ petition is filed.

According to the petitioner, he had joined in the Respondent Corporation as conductor in the year 1985 at Hyderabad Region. While he was working at Uppal Depot he was removed from service in the year 1996 and reinstated vide award dated 22-6-2002 and presently working at Barkatpura Depot. He has completed 12 years of service in the year 1997 and therefore he was eligible for stagnation increment on completion of 12 years of service in the same category, but the same was denied on the ground that he was he was not in service as on the date of eligibility. Questioning the same, the present writ petition is filed.

The learned counsel for the petitioner submits that the subject matter of this writ petition is covered by the judgment of this court in W.P.No.5726 of 2000, dated 23-8-2002, which was also confirmed by the Division Bench in W.A.No.1301 of 2000 dated 29.10.2002.

In view of the above, this writ petition is also disposed of in terms of the order passed in W.P.No.5726 of 2000, dated 23-8-2002. No costs.

K.C. Bhanu, J.

7th April 2005

js.

To

1 The Depot Manager, APSRTC,

Barkatpura, Hyderabad.

2 2 CD copies.